

**Carlos Hernández**  
Mayor

**Luis Gonzalez**  
Council President

**Katharine E. Cue-Fuente**  
Council Vice President



Council Members  
**Jose F. Caragol**  
**Vivian Casáls-Muñoz**  
**Isis Garcia-Martinez**  
**Paul B. Hernández**  
**Lourdes Lozano**

## City Council Agenda

### March 28, 2017

### 7:00 P.M.

---

Call to Order

Roll Call

Invocation given by Marbelys Fatjo, City Clerk

Pledge of Allegiance to be led by Councilwoman Isis Garcia-Martinez

#### **Meeting Guidelines**

The following guidelines have been established by the City Council:

➤ **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

#### **Presentations –**

- Hialeah Fire Department crew members R-5 Lieutenant Jorge Drada, Firefighter Timothy Knigge and Firefighter Jason Ramos are recognized for their actions when a 72 year old male suffered a brainstem stroke. The crew diagnosed the patient and transported him to Palmetto Hospital where Dr. Kaushall was able to retrieve the clot and the patient survived. (FIRE DEPT.)

#### **1. Announcement of Amendments/Corrections to the Agenda**

- **Item J has been withdrawn from today's agenda and will be heard by the City Council on April 11, 2017.**
- **Item L has been added to today's agenda.**

## 2. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A. Request permission to approve the minutes of the City of Hialeah Council Meeting held on March 14, 2017. (OFFICE OF THE CITY CLERK)
- B. Proposed resolution naming the high school baseball field at Slade Park, located at 2501 West 74 Street, in Hialeah, Florida, the "Jorge Ramos Field at Carl F. Slade Park." (ADMINISTRATION)
- C. Proposed resolution approving the naming of the Fire Administration Building located at 83 East 5<sup>th</sup> Street Hialeah, Florida, as "Chief Herminio Lorenzo Fire Administration Building", in honor of his outstanding service as the first Cuban American Fire Chief in the City of Hialeah, with the cost of signage to be paid by the City. (FIRE DEPT.)
- D. Report of Scrivener's Error – Resolution No. 2016-124, approved by the City Council on November 22, 2016 (Item 18a.) was approved with the incorrect term termination date. The termination date is being corrected from June 28, 2018 to June 28, 2017. (OFFICE OF THE CITY CLERK)
- E. Request permission to issue a purchase order to Wilfredo Jose and a purchase order to Pedro Gonzalez, vendors who perform mechanical and plumbing inspections for the City's Building Department, for final payment for professional services rendered, in a total cumulative amount not to exceed \$14,160. (BUILDING DEPT.)
- F. Request permission to enter into an agreement with Medical Priority Consultants, Inc., d/b/a Priority Dispatch Corp., sole source vendor, for the license and service agreement maintenance of the Public Safety Priority Dispatch System, terminating on September 29, 2017, in a total cumulative amount not to exceed \$16,384, with the agreement being subject to the approval of the City Attorney. (FIRE DEPT)
- G. Proposed resolution approving the Memorandum of Agreement between the City of Miami, as the sponsoring agency of the UASI Grant Program 2016, under the U.S. Department of Homeland Security's Urban Area Security Initiative (UASI), and the City of Hialeah, as participating agency; accepting the award of a sub-grant in the amount of \$459,081.82 for approved planning and equipment costs identified in the program budget; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to execute

the Memorandum of Agreement attached hereto, and made a part hereof as Exhibit “1”, and any other documents in furtherance hereof. (FIRE DEPT)

- H. Request permission to increase Purchase Order No. 2017-737, issued to Law Enforcement Psychological and Counseling Associates, Inc., to continue providing psychological screening services for the hiring of certified police officers, firefighters, and the Employee Assistance Program (EAP), by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (HUMAN RESOURCES DEPT.)
  - I. Request permission to increase Purchase Order No. 2017-703, issued to Work Injury Solutions of Dade County, Inc., to provide pre-employment examinations for new hires, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (HUMAN RESOURCES DEPT.)
  - J. ~~Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2016-2082, issued to AAB Affordable Services LLC, for residential repairs at Miguelina Larrinaga Project Case No. S-504 in that the electrical plan reviewer requested new washer and dryer outlets to be installed during the permit and electrical plan review, in an additional amount of \$5,894, for a new total cumulative amount not to exceed \$45,197. On September 13, 2016, the City Council awarded this project to this vendor, sole responsive bidder. (DEPT. OF GRANTS AND HUMAN SERVICES)~~  
**WITHDRAWN**
  - K. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to P & J Striping Inc., only vendor from which the City received a quote, for five (5) No Parking Anytime signs, in a total cumulative amount not to exceed \$1,025. (STREETS DEPT.)
  - L. Request from Mobile Events, located at 888 W. Big Beaver Road, Suite 350, Troy, MI 48084, for a permit to host an event entitled “Jeep Compass Dealer Training Tour”, a 21 city tour with 18 staff members who will be training a maximum of 300 sales consultants all from a 200 mile radius to get trained and certified with the dealership employees having an opportunity to drive vehicles on 2 closed course drives taking being required to go through classroom modules located inside various sized tents, at Westland Mall, located at 1675 West 49<sup>th</sup> Street, Hialeah, FL, from Tuesday, April 18, 2017 through Thursday, April 20, 2017, with one day for set-up and two event days, with 2 sessions per day of 150 participants, with the event registration beginning at 7:00 a.m. and 12:00 p.m. for each session, and the overall event beginning at 8:00 a.m. and ending at 5:00 p.m., subject to the recommendations of the Hialeah Fire Department and the Hialeah Police Department. (OFFICE OF THE CITY CLERK)
3. Second reading and public hearing of proposed ordinance vacating a portion of West 25 Place, a dead end road, immediately west of West 12 Avenue and abutting **property located at 1200 West 25 Place, 1205 West 25 Place, 1265 West 25 Place and 1280 West 25 Place in Hialeah, Miami-Dade County, Florida**, more particularly described in the surveyor’s legal description and location sketch attached hereto and made a part hereof as Exhibit “A”. (ADMINISTRATION)

*Item was approved by the City Council on first reading on March 14, 2017. Second reading and public hearing was scheduled for March 28, 2017.*

4. First reading of proposed ordinance extending the temporary moratorium under Ordinance No. 2016-60 with a termination date of April 4<sup>th</sup>, 2017 for an additional period of one hundred and eighty (180) days from April 4<sup>th</sup>, on the acceptance, review, approval or issuance of any land development permits as the term is defined in Florida Statutes Section 163.3164(16), Business Tax Receipts, or any other license or permit for the establishment or operation of dispensing facilities within the City of Hialeah engaged in the on-site distribution, sale, delivery or retail of low-the cannabis, medical cannabis or cannabis delivery devices pursuant to Sections 381.986 and 499.0295 of the Florida Statutes, to include a moratorium on uses under Amendment 2 now Article X § 29 of the Florida Constitution entitled “Medical Marijuana Production, Possession and Use” to run concurrently with the extension of the moratorium under Ordinance No. 2016-60 in order to provide the City with an opportunity to review and enact regulations governing the establishment and operation of dispensing facilities or organizations; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause and providing for an effective date. (ADMINISTRATION)

*Item was approved by the City Council on first reading on March 14, 2017. Second reading and public hearing was scheduled for March 28, 2017.*

5. Board Appointments –

- a. Proposed resolution reappointing **Christopher Zacarias** as Special Master to conduct administrative hearings on code violations for the City of Hialeah, Florida, pursuant to the citation procedures set forth in Chapter 22, Article III, of the Hialeah Code, assume all powers authorized by Hialeah Code § 22-186(k), and serve a term commencing on June 1, 2017 and ending on May 31, 2018, at an hourly rate to be established by administrative order of the Mayor, and providing for an effective date. (MAYOR HERNANDEZ)
- b. Proposed resolution reappointing **Luis A. Zubieta** to the Personnel Board of the City of Hialeah, as the Mayor’s appointment, for a two (2) year term commencing on June 27, 2017 and ending on June 26, 2019. (MAYOR HERNANDEZ)
- c. Proposed resolution reappointing **Zoraya R. Peña** to the Personnel Board of the City of Hialeah, as the Mayor’s appointment, for a two (2) year term commencing on June 27, 2017 and ending on June 26, 2019. (MAYOR HERNANDEZ)
- d. Reappointment by Council President Gonzalez of **Carlos Hugo Gonzalez** to the Cultural Affairs Council for a two year term commencing on November 17, 2015 and ending on November 16, 2017. (COUNCIL PRESIDENT GONZALEZ)
- e. Proposed resolution reappointing **Javier Casanova** to the Planning and Zoning Board for a two (2) year term ending on June 28, 2017. (COUNCILMAN CARAGOL)

- f. Reappointment by Councilman Caragol of **Nilda Donahue** to the Veterans Affairs Board for a two year term commencing on November 17, 2016 and ending on November 16, 2018. (COUNCILMAN CARAGOL)
- g. Proposed resolution reappointing **Rodolfo J. Suarez** as a member of the Planning and Zoning Board for a two (2) year term ending on June 28, 2018. (COUNCILWOMAN LOZANO)

6. Unfinished Business -

7. New Business -

8. Comments and Questions –

**Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.**

**Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.**

### **ZONING**

- PZ 1. First reading of proposed ordinance granting a variance permit to construct a single family residence on a substandard lot having a frontage of 50', where 75' are required, and total lot area of 6,250 square feet where 7,500 square feet are required, contra to Hialeah Code of Ordinances § 98-499. **Property located on the east side of West 6<sup>th</sup> Court south of West 23 Street and north of the F.E.C. Railway and Hialeah Expressway Hialeah, Florida** (zoned R-1). Providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved by the Planning and Zoning Board on March 22, 2017.</i>
<i>Planner's Recommendation: Approval</i>
<i>Owner of the Property: Gilbert Aguila, 5735 West 12 Lane, Hialeah, Florida 33012</i>

**NEXT CITY COUNCIL MEETING: Tuesday, April 11, 2017 at 7:00 P.M.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 23, 2017 at 6:30 p.m.**

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).